

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TOMAS BENCOMO,

Defendant.

8:17CR130

ORDER

This matter is before the court on the defendant's Motion to Continue Trial [20]. The parties seek additional time to negotiate a plea deal with the government. Defendant has complied with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the defendant's Motion to Continue [20] is granted as follows:

1. The jury trial, now set for October 3, 2017 is continued to **November 7, 2017**.
2. The defendant has filed an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 7, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 2nd day of October, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge